

02/10/00
10685 U.S. PTO

Please type a plus sign (+) inside this box →

PTO/SB/05 (4/98)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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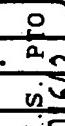
UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. UNME-0070-1

First Inventor or Application Identifier Sklar et al.

Title FLOW CYTOMETRY FOR HIGH...

Express Mail Label No. 

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. + Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. + Specification [Total Pages 24]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. + Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 2]
 - a. + Newly executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

5. Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. + Assignment Papers (cover sheet & document(s))
8. 37 C.F.R. § 3.73(b) Statement (when there is an assignee) + Power of Attorney
9. English Translation Document (if applicable)
10. + Information Disclosure Statement (IDS)/PTO-1449 + Copies of IDS Citations
11. Preliminary Amendment
12. + Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 - * Small Entity Statement(s) Statement filed in prior application, (PTO/SB/09-12)
 - 13. + Status still proper and desired Certified Copy of Priority Document(s)
(if foreign priority is claimed)
 - 14. Other: Associate Power of Attorney, EDC Sheet

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation Divisional Continuation-in-part (CIP)

of prior application No. _____

Group / Art Unit: _____

Prior application information: Examiner _____
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label



or Correspondence address below
22506

(Insert Customer No. or attach bar code label here)

Name	Jagtiani & Associates PATENT TRADEMARK OFFICE			
Address	10379-B Democracy Lane			
City	Fairfax	State	Virginia	Zip Code
Country	U.S.A.	Telephone	703-591-2664	Fax 703-591-5907

Name (Print/Type)	Kay Jagtiani	Registration No. (Attorney/Agent)	35,205
Signature			
	Date	02-10-00	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Applicant or Patentee:	JAR et al.	Att #:	UNME-0070-I
Serial or Patent Number:	To be assigned	Examiner:	
Filed or Issued:	Cocurrently herewith	Art Unit:	
For:	FLOW CYTOMETRY FOR HIGH THROUGHPUT SCREENING		

**VERIFIED STATEMENT (DECLARATION) BY A UNIVERSITY
CLAIMING SMALL ENTITY STATUS UNDER 37 C.F.R. §§ 1.9(f) AND 1.27(c)**

I hereby declare that I am

- the owner of the small business concern identified below:
- an official of the University empowered to act on behalf of the concern identified below:

Name of Concern: **University of New Mexico**

Address: **Hokona Hall, Room 357, Albuquerque, New Mexico, 87131**

I hereby declare that the above identified University qualifies as a small business concern as defined in *13 CFR 121.3-18*, and reproduced in *37 CFR 1.9(d)*, for purposes of paying reduced fees under *section 41(a) and (b) of Title 35, United States Code*, in that the number of employees of the concern, including those of its affiliates, **does not exceed 500 persons**. For purposes of this statement, **(1)** the number of employees is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and **(2)** concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the University identified above with regard to the matter described in:

- The specification filed herewith, with the title as listed above.
- The patent application identified above.
- The PCT International patent application identified above.
- The patent number identified above.

If the rights held by the above identified University are not exclusive, each individual, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under *37 CFR 1.9(c)* if that person made the invention, or by any concern who would not qualify as a small business concern under *37 CFR 1.9(d)*, or a nonprofit organization under *37 CFR 1.9(e)*. Each person or organization having any rights in the invention is listed below:

- No such person, concern or organization.
- Each such person, concern or organization as listed below:

FULL NAME:	Annabelle D. Linton, Associate University Counsel	<input type="checkbox"/> Individual
ADDRESS:		<input type="checkbox"/> Small Business Concern
		<input type="checkbox"/> Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (*37 CFR 1.28(b)*).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

Annabelle D. Linton, Associate University Counsel	Date
University of New Mexico Patent Administration Office Hokona Hall, Room 357 Albuquerque, New Mexico 87131	SIGNATURE
<i>Annabelle D. Linton</i>	

FEE TRANSMITTAL FORM

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS	45-20=	25	x\$18=	\$450.00
	INDEPENDENT CLAIMS	2-3=	0	x\$78=	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$260=	\$0.00
				BASIC FEE	\$690.00
				TOTAL OF ABOVE	\$1,140.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28).					\$570.00
				TOTAL=	\$570.00

1. A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
 - is enclosed
 - was filed in prior application number xx/xxx.xxx and such status is still proper and desired
(37 CFR 1.28(a)).
2. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 10-0233-UNME-0070-1.
3. A check in the amount of \$ for the filing fee is enclosed.
 A check in the amount of \$ _____ for the assignment is enclosed.
4. Cancel in this application original claims _____ of the prior application before calculating the filing fee.
(At least one original independent claim must be retained for filing purposes.)

Address all future communications: (May only be completed by applicant or attorney/agent of record.)

JAGTIANI & ASSOCIATES
Democracy Square Business Center
10379-B Democracy Lane
Fairfax, Virginia 22030

February 10, 2000



May A. Jagtiani (53,205)

- Attorney or Agent of Record
- Inventor(s)
- Assignee of Complete Interest
- Filed under § 1.34(a)